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10 QUICKEN LOANS INC.

11 **UNITED STATES DISTRICT COURT**
12 **CENTRAL DISTRICT OF CALIFORNIA**
13 **WESTERN DIVISION**

14 AMANDA HILL, individually and on
15 behalf of all others similarly situated,

16 Plaintiff,

17 v.

18 QUICKEN LOANS INC.,

19 Defendant.

Case No. 5:19-cv-00163-FMO-SP

**REQUEST FOR JUDICIAL NOTICE
IN SUPPORT OF QUICKEN LOANS
INC.'S MOTION TO STAY
PROCEEDINGS**

Date: April 25, 2019
Time: 10:00 a.m.
Courtroom: 6D
Judge: Hon. Fernando M. Olguin
350 W. 1st Street, 6th Floor,
Los Angeles, CA 90012

Filed concurrently with:

1. Notice of Motion and Motion;
2. Memorandum;
3. Proposed Order

REQUEST FOR JUDICIAL NOTICE

Pursuant to Federal Rule of Evidence 201 and supporting case law, Defendant QUICKEN LOANS INC. (“Quicken Loans”) respectfully requests that in considering its Motion to Stay Proceedings (“the Motion”), this Court take judicial notice of the following documents:

1. **Exhibit 1** is a true and correct copy of the Complaint filed on December 17, 2018 in *Hackett v. Quicken Loans Inc.*, No. 6:18-cv-02151 (M.D. Fla.), which is publicly available at the Public Access to Court Electronic Records (PACER) website—www.pacer.gov. The significance of this document is explained in the Memorandum in Support of the Motion to Stay (at pp. 3-4, 7-8).

2. **Exhibit 2** is a true and correct copy of the First Amended Complaint filed on January 31, 2019 in *Hackett v. Quicken Loans Inc.*, No. 6:18-cv-02151 (M.D. Fla.), which is publicly available at the Public Access to Court Electronic Records (PACER) website—www.pacer.gov. The significance of this document is explained in the Memorandum in Support of the Motion to Stay (at pp. 3-4, 8-9).

3. **Exhibit 3** is a true and correct copy of the Complaint filed on January 27, 2019 in *Hyde v. Quicken Loans Inc.*, No. 0:19-cv-00196 (D. Minn.), which is publicly available which is publicly available at the PACER website—www.pacer.gov. The significance of this document is explained in the Memorandum in Support of the Motion to Stay (at pp. 4-5, 7-10).

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1 This request is based upon the accompanying Memorandum of Points and
2 Authorities in support, the pleadings and papers on file, and upon and additional
3 argument or evidence permitted at the hearing on Quicken Loans' Motion to Stay
4 Proceedings.

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6 Respectfully submitted,

7 Dated: March 18, 2019

By: /s/ Brooks R. Brown
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MEMORANDUM OF POINTS AND AUTHORITIES

This Court may take judicial notice “of proceedings in other courts, both within and without the federal judicial system, if those proceedings have direct relation to the matters at issue.” *U.S. ex rel. Robinson Rancheria Citizens Council v. Borneo, Inc.*, 971 F.2d 244, 248 (9th Cir. 1992). The documents in this request are a matter of public record and are proper for judicial notice because they consist of complaints publicly filed in federal court. Exhibit 1 is the original Complaint filed in *Hackett v. Quicken Loans Inc.* Exhibit 2 is the First Amended Complaint from that same case. And Exhibit 3 is the Complaint filed in *Hyde v. Quicken Loans Inc.* These documents are directly related to Quicken Loans’ Motion to Stay Proceedings because they are “first-filed” nationwide class actions duplicative of Plaintiff Amanda Hill’s claims here. These documents are capable of accurate and ready determination from the federal courts’ dockets and thus are proper for judicial notice. Fed. R. Evid. 201(b); *Clardy v. Pinnacle Foods Grp., LLC*, No. 16-04385, 2017 WL 57310, at *2 (N.D. Cal. Jan. 5, 2017) (granting request for judicial notice of complaint filed in other case for purposes of evaluating motion to stay under “first-filed” doctrine); *Futurewei Techs., Inc. v. Acacia Research Corp.*, No. 12-0511, 2012 WL 12905300, at *2 (C.D. Cal. Oct. 22, 2012), *aff’d*, 737 F.3d 704 (Fed. Cir. 2013) (Guilford, J.) (granting request for judicial notice of court filings in other case relevant to “first-filed” analysis); *Borneo*, 971 F.2d at 248 (taking judicial notice of proceedings and filings in state court case); *Bozic v. Uijl*, No. 16-CV-733-BAS(MDD), 2017 WL 432878, at *1 (S.D. Cal. Jan. 31, 2017), *appeal dismissed*, No. 17-55135, 2017 WL 3611443 (9th Cir. Apr. 21, 2017) (granting request for judicial notice as to court filings in other litigations).

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CONCLUSION

For the forgoing reasons, Quicken Loans respectfully requests that this Court take judicial notice of Exhibits 1, 2 and 3 in support of Quicken Loans' Motion to Stay Proceedings, filed contemporaneously hereto.

Respectfully submitted,

Dated: March 18, 2019

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